STATE WATER RESOURCES CONTROL BOARD
UNDERGROUND STORAGE TANK REGULATIONS
TITLE 23, DIVISION 3, CHAPTER 16, CALIFORNIA CODE OF REGULATIONS

AMENDMENTS TO UNDERGROUND STORAGE TANK PERMITTING, INSPECTION, AND TRAINING REGULATIONS

TEXT OF REGULATIONS

Amend Title 23, Division 3, Chapter 16, of the California Code of Regulations to read as follows:

Article 1. Definition of Terms.

§ 2611. Additional Definitions

Unless the context requires otherwise, the following definitions shall apply to terms used in this chapter.

"Bladder system" means a flexible or rigid material which provides primary containment including an interstitial monitoring system designed to be installed inside an existing underground storage tank.

"Best management practice" means any underground storage tank system management and operation practice that is the most effective and practicable method of preventing or reducing the probability of a release.

"Cathodic protection tester" means **any individual**~~a person~~ who can demonstrate an understanding of the principles and measurements of all common types of cathodic protection systems as applied to buried or submerged metal**lic** piping and **underground storage** tank systems. ~~The term includes only persons who~~ **Such an individual shall possess a current certificate from the National Association of Corrosion Engineers or the International Code Council, demonstrating** ~~have~~ education and experience in soil resistivity, stray current, structure-to-soil potential, and component electrical isolation measurements of buried **or submerged** metal**lic** piping and **underground storage** tank systems.

"Coatings expert" means a person who, by reason of thorough training, knowledge and experience in the coating of metal surfaces, is qualified to engage in the practice of internal tank lining inspections. The term includes only those persons who are independent of any lining manufacturer or applicator and have no financial interest in the tank or tanks being monitored.

"Compatible" means the ability of two or more substances to maintain their respective physical and chemical properties upon contact with one another for the design life of the tank system under conditions likely to be encountered in the underground storage tank.

"Connected piping" means all underground piping including valves, elbows, joints, flanges, and flexible connectors attached to a tank system through which hazardous substances flow. For the purpose of determining how much piping is connected to any individual underground storage tank system, the piping that joins two underground storage tank systems should be allocated equally between them.

"Continuous monitoring" means a system using equipment which routinely performs the required monitoring on a periodic or cyclic basis throughout each day.

"Corrosion specialist" means **any individual** ~~a person~~ who, by reason of thorough knowledge of the physical sciences and the principles of engineering and mathematics acquired by a professional education and related practical experience, is qualified to engage in the practice of corrosion control on ~~metal underground storage tanks and associated piping~~ **buried or submerged metallic piping and underground storage tank systems.** ~~The term includes only persons who have been~~ **Such an individual shall possess a current certificate from** ~~certified by~~ the National Association of Corrosion Engineers **as a corrosion specialist,** or **be a** registered professional engineer~~s~~ **with a current certificate or license requiring**~~who have certification or licensing that requires~~ education and experience in corrosion control of ~~underground storage tanks and associated piping~~ **buried or submerged metallic piping and underground storage tank systems.**

"Decommissioned tank" means an underground storage tank which cannot be used for one or more of the following reasons: 1) the tank has been filled with an inert solid; 2) the fill pipes have been sealed; or, 3) the piping has been removed.

"Designated underground storage tank operator" or "designated UST operator" means one or more individuals designated by the owner to have responsibility for training facility employees and conducting monthly visual inspections at an underground storage tank facility. A "designated UST operator" is not considered the "operator" as defined in Chapter 6.7 of Division 20 of the Health and Safety Code, although the same individual may hold both positions.

"Dispenser" means an aboveground or underground device that is used for the delivery of a hazardous substance from an underground storage tank. Dispenser includes metering and delivery devices, and fabricated assemblies located therein.

"Emergency containment" means a containment system for accidental spills which are infrequent and unpredictable.

"Excavation zone" means the volume containing the tank system and backfill material bounded by the ground surface, walls, and floor of the pit and trenches into which the underground storage tank system is placed at the time of installation.

"Existing underground storage tank" means an underground storage tank installed prior to January 1, 1984. The term also includes an underground storage tank installed before

January 1, 1987 and which is located on a farm, has a capacity greater than 1,100 gallons, and stores motor vehicle fuel used primarily for agricultural purposes and not for resale.

“Facility employee” means an individual who is employed on-site at an underground storage tank facility, and who may be called upon to respond to spills, overfills, or other problems associated with the operation of the underground storage tank system. A “facility employee” is not considered the “operator” as defined in Chapter 6.7 of Division 20 of the Health and Safety Code, although the same individual may hold both positions.

“Fail safe” means that a monitoring system will shut down the turbine pump in the event of a power outage, or when the monitoring system fails or is disconnected.

"Farm tank" means any one tank or a combination of manifolded tanks that: 1) are located on a farm; and, 2) holds no more than 1,100 gallons of motor vehicle fuel which is used primarily for agricultural purposes and is not held for resale.

"First ground water" means the uppermost saturated horizon encountered in a bore hole.

"Free product" refers to a hazardous substance that is present as a non- aqueous phase liquid (e.g., liquid not dissolved in water).

"Ground water" means subsurface water which will flow into a well.

"Hazardous substance" means a substance which meets the criteria of either subsection (1) or subsection (2) of section 25281(f) of the Health and Safety Code.

"Heating oil tank" means a tank located on a farm or at a personal residence and which holds no more than 1,100 gallons of home heating oil which is used consumptively at the premises where the tank is located.

"Holiday," when used with respect to underground storage tank coating or cladding, means a pinhole or void in a protective coating or cladding.

"Hydraulic lift tank" means a tank holding hydraulic fluid for a closed loop mechanical system that uses compressed air or hydraulic fluid to operate lifts, elevators, and other similar devices.

"Inconclusive" means the conclusion of a statistical inventory reconciliation report that is not decisive as to whether a release has been detected.

"Independent testing organization" means an organization which tests products or systems for compliance with voluntary consensus standards. To be acceptable as an independent testing organization, the organization shall not be owned or controlled by any client, industrial organization, or any other person or institution with a financial interest in the product or system being tested. For an organization to certify, list, or label products or systems in compliance with voluntary consensus standards, it shall maintain

formal periodic inspections of production of products or systems to ensure that a listed, certified, or labeled product or system continues to meet the appropriate standards.

"Independent third party" means independent testing organizations, consulting firms, test laboratories, not-for-profit research organizations and educational institutions with no financial interest in the matters under consideration. The term includes only those organizations which are not owned or controlled by any client, industrial organization, or any other institution with a financial interest in the matter under consideration.

"Integral secondary containment" means a secondary containment system manufactured as part of the underground storage tank.

"Interstitial space" means the space between the primary and secondary containment systems.

"Leak threshold" means the value against which test measurements are compared and which serves as the basis for declaring the presence of a leak. The leak threshold is set by the manufacturer in order to meet state and federal requirements. Leak threshold is not an allowable leak rate.

"Liquid asphalt tank" means an underground storage tank which contains steam-refined asphalts.

"Liquefied petroleum gas tank" means an underground storage tank which contains normal butane, isobutane, propane, or butylene (including isomers) or mixtures composed predominantly thereof in a liquid or gaseous state having a vapor pressure in excess of 40 pounds per square inch absolute at a temperature of 100 degrees Fahrenheit.

"Maintenance" means the normal operational upkeep to prevent an underground storage tank system from releasing hazardous substances.

"Manufacturer" means any business which produces any item discussed in these regulations.

"Manual inventory reconciliation" means a procedure for determining whether an underground tank system is leaking based on bookkeeping calculations, using measured throughput and a series of daily inventory records taken manually by the tank owner or operator or recorded electronically. This terms does not include procedures which are based on statistical inventory reconciliation.

"Membrane liner" means any membrane sheet material used in a secondary containment system. A membrane liner shall be compatible with the substance stored.

"Membrane liner fabricator" means any company which converts a membrane liner into a system for secondary containment.

"Membrane manufacturer" means any company which processes the constituent polymers into membrane sheeting from which the membrane liner is fabricated into a system for secondary containment.

"Motor vehicle" means a self-propelled device by which any person or property may be propelled, moved, or drawn.

"Motor vehicle fuel tank" means an underground storage tank that contains a petroleum product. The definition does not include underground storage tanks that contain used oil.

"New underground storage tank" means an underground storage tank which is not an existing underground storage tank.

"Non-volumetric test" means a tank integrity test method that ascertains the physical integrity of an underground storage tank through review and consideration of circumstances and physical phenomena internal or external to the tank.

"Operational life" means the period beginning when installation of the tank system has begun until the time the tank system should be properly closed.

"Operator" means any person in control of, or having responsibility for, the daily operation of an underground storage tank system.

"Person", as defined in Chapter 6.7 of Division 20 of the Health and Safety Code includes any entity defined as a person under the Federal Act.

"Perennial ground water" means ground water that is present throughout the year.

"Petroleum" means petroleum including crude oil, or any fraction thereof, which is liquid at standard conditions of temperature and pressure, which means at 60 degrees Fahrenheit and 14.7 pounds per square inch absolute.

"Pipeline leak detector" means a continuous monitoring system for underground piping capable of detecting at any pressure, a leak rate equivalent to a specified leak rate and pressure, with a probability of detection of 95 percent or greater and a probability of false alarm of 5 percent or less.

"Probability of detection" means the likelihood, expressed as a percentage, that a test method will correctly identify a leaking underground storage tank.

"Probability of false alarm" means the likelihood, expressed as a percentage, that a test method will incorrectly identify a "tight" tank as a leaking underground storage tank.

"Qualitative release detection method" means a method which detects the presence of a hazardous substance or suitable tracer outside the underground storage tank being tested.

"Quantitative release detection method" means a method which determines the integrity of an underground storage tank by measuring a release rate or by determining if a release exceeds a specific rate.

"Release detection method or system" means a method or system used to determine whether a release of a hazardous substance has occurred from an underground tank system into the environment or into the interstitial space between an underground tank system and its secondary containment.

"Repair" means to restore a tank or underground storage tank system component that has caused a release of a hazardous substance from the underground storage tank system.

"Septic tank" means a tank designed and used to receive and process biological waste and storage.

“Service technician” means any individual who installs or tests monitoring equipment, or provides maintenance, service, system programming or diagnostics, calibration, or trouble-shooting for underground storage tank system components.

"Statistical inventory reconciliation" means a procedure to determine whether a tank is leaking based on the statistical analysis of measured throughput and a series of daily inventory records taken manually by the tank owner or operator or recorded electronically.

"Statistical inventory reconciliation provider" means the developer of a statistical inventory reconciliation method that meets federal and state standards as evidenced by a third-party evaluation conducted according to section 2643(f), or an entity that has been trained and certified by the developer of the method to be used. In either case, the provider shall have no direct or indirect financial interest in the underground storage tank being monitored.

"Storm water or wastewater collection system" means piping, pumps, conduits and any other equipment necessary to collect and transport the flow of surface water run-off resulting from precipitation, or domestic, commercial, or industrial wastewater to and from retention areas or any areas where treatment is designated to occur. The collection of storm water and wastewater does not include treatment except where incidental to conveyance.

"Substantially beneath the surface of the ground" means that at least 10 percent of the underground tank system volume, including the volume of any connected piping, is below the ground surface or enclosed below earthen materials.

"Sump," "pit," "pond," or "lagoon" means a depression in the ground which lacks independent structural integrity and depends on surrounding earthen material for structural support of fluid containment.

"Tank integrity test" means a test method that can ascertain the physical integrity of any

underground storage tank. The term includes only test methods which are able to detect a leak of 0.1 gallons per hour with a probability of detection of at least 95 percent and a probability of false alarm of 5 percent or less. The test method may be either volumetric or non-volumetric in nature. A leak rate is reported using a volumetric test method, whereas, a non- volumetric test method reports whether a substance or physical phenomenon is detected which may indicate the presence of a leak.

"Unauthorized release" as defined in Chapter 6.7 of Division 20 of the Health and Safety Code does not include intentional withdrawals of hazardous substances for the purpose of legitimate sale, use, or disposal.

"Under-Dispenser Containment" means secondary containment that is located under a dispenser.

"Under-Dispenser spill containment or control system" means a device that is capable of preventing an unauthorized release from under the dispenser from entering the soil or groundwater or both.

"Upgrade" means the addition or retrofit of some systems such as cathodic protection, lining, secondary containment, or spill and overfill controls to improve the ability of an underground storage tank system to prevent the release of hazardous substances.

"Volumetric test" means a tank integrity test method that ascertains the physical integrity of any underground storage tank through review and comparison of tank volume.

"Voluntary consensus standards" means standards that shall be developed after all persons with a direct and material interest have had a right to express a viewpoint and, if dissatisfied, to appeal at any point (a partial list of the organizations that adopt voluntary consensus standards are shown in Appendix I, Table B).

"Wastewater treatment tank" means a tank designed to treat influent wastewater through physical, chemical, or biological methods and which is located inside a public or private wastewater treatment facility. The term includes untreated wastewater holding tanks, oil water separators, clarifies, sludge holding tanks, filtration tanks, and clarified water tanks that do not continuously contain hazardous substances.

Authority cited: Sections 25299.3 and 25299.7, Health and Safety Code.
Reference: Sections 25281, 25282, 25283, 25284, 25284.1, 25292.3 and 25299.5(a), Health and Safety Code; 40 CFR 280.10 and 280.12.

Article 3. New Underground Storage Tank Design, Construction, and Monitoring Requirements.

§ 2630. General Applicability of Article.

(a) The requirements in this article apply to owners of new underground storage tanks. In addition, the applicable repair and upgrade requirements in Article 6 shall be complied with.

(b) Sections 2631 and 2632 specify design, construction, and monitoring requirements for all new underground storage tanks. Sections 2633 and 2634 specify alternate design, construction, and monitoring requirements, in lieu of those specified in sections 2631 and 2632, for underground storage tanks installed before January 1, 1997 which store only motor vehicle fuel. Underground storage tanks constructed pursuant to the requirements specified in section 2633 in lieu of those specified in section 2631shall be monitored in accordance with section 2634.

(c) All new underground storage tanks, piping, and secondary containment systems shall comply with sections 2635 and 2636.

(d) All monitoring equipment used to satisfy the requirements of this article shall meet the requirements of section 2643(f) and shall be installed and maintained such that the equipment is capable of detecting a leak at the earliest possible opportunity. Additionally, all monitoring equipment used to satisfy the requirements of this article shall be installed, calibrated, operated, and maintained in accordance with section ~~2637(b).~~ **2638.**

Authority: Sections 25299.3 and 25299.7, Health and Safety Code.
Reference: Sections 25281, 25284.1, 25291 and 25292.3, Health and Safety Code; 40 CFR 280.20.

§ 2631.1. Compatibility and Permeability Testing Requirements for All New Underground Storage Tanks.

(a) Owners and operators must use an underground storage tank system made of or lined with materials that are compatible with the substance stored in the underground storage tank system.

(b) For underground storage tank system components installed on or after July 1, 2004, the applicable approvals required in subsections 2631(b) and (d) shall include a list of the compatible products tested and the measured product permeation rates, if such testing is required by the industry code or engineering standard used to evaluate the component. These results shall be provided to the local agency upon request.

Authority: Sections 25299.3 and 25299.7, Health and Safety Code.
Reference: Sections 25281, 25284.1, 25286, 25291 and 25299, Health and Safety Code: 40 CFR 280.20, 280.32, 280.40-280.45.

§ 2635. Installation and Testing Requirements for All New Underground Storage Tanks.

(a) Primary and secondary containment systems shall be designed, constructed, tested, and certified to comply, as applicable, with all of the following requirements:

(1) All underground storage tanks shall be tested at the factory before being transported. The tests shall determine whether the tanks were constructed in accordance with the applicable sections of the industry code or engineering standard under which they were built.

(2) The outer surface of underground storage tanks constructed of steel shall be protected from corrosion as follows, except that primary containment systems installed in a secondary containment system and not backfilled do not need cathodic protection:

(A) Field-installed cathodic protection systems shall be designed and certified as adequate by a corrosion specialist. The cathodic protection systems shall be tested by a cathodic protection tester within six months of installation and at least every three years thereafter. The criteria that are used to determine that cathodic protection is adequate as required by this section shall be in accordance with a code of practice developed in accordance with voluntary consensus standards. Impressed-current cathodic protection systems shall also be inspected no less than every 60 calendar days to ensure that they are in proper working order.

(B) Underground storage tanks protected with fiberglass-reinforced plastic coatings, composites, or equivalent non-metallic exterior coatings or coverings, including coating/sacrificial anode systems, shall be tested at the installation site using an electric resistance holiday detector. All holidays detected shall be repaired and checked by a factory authorized repair service before installation. During and after installation, care shall be taken to prevent damage to the protective coating or cladding. Preengineered corrosion protection systems with sacrificial anodes shall be checked once every three years in accordance with the manufacturer's instructions.

(3) Before installation, the tank shall be tested for tightness at the installation site in accordance with the manufacturer's written guidelines. If there are no guidelines, the primary and secondary containment shall be tested for tightness with air pressure at not less than 3 pounds per square-inch (20.68 k Pa) and not more than 5 pounds per square-inch (34.48 k Pa). In lieu of the above, an equivalent differential pressure test, expressed in inches of mercury vacuum, in the interstitial space of the secondary containment, is acceptable. The pressure (or vacuum in the interstitial space) shall be maintained for a minimum of 30 minutes to determine if the tank is tight. If a tank fails the tightness test, as evidenced by soap bubbles, or water droplets, installation shall be suspended until the tank is replaced or repaired by a factory authorized repair service. Following repair or replacement, the tank shall pass a tightness test.

(4) All secondary containment systems shall pass a post- installation test which meets the approval of the local agency.

(5) After installation, but before the underground storage tank is placed in service, a tank integrity test shall be conducted to ensure that no damage occurred during installation. The tank integrity test is not required if the tank is equipped with an interstitial monitor certified by a third-party evaluator to meet the performance standards of a "tank integrity test" as defined in section 2611, or if the tank is tested using another method deemed by the State Water Resources Control Board to be equivalent.

(6) All underground storage tanks shall be installed according to a code of practice developed in accordance with voluntary consensus standards and the manufacturer's written installation instructions. The owner or operator shall certify that the underground storage tank was installed in accordance with the above requirements as required by subsection (d) of this section.

(7) All underground storage tanks subject to flotation shall be anchored using methods specified by the manufacturer or, if none exist, shall be anchored according to the best engineering judgment.

(b) All underground storage tanks shall be equipped with a spill container and an overfill prevention system as follows:

(1) The spill container shall collect any hazardous substances spilled during product delivery operations to prevent the hazardous substance from entering the subsurface environment. The spill container shall meet the following requirements:

(A) If it is made of metal, the exterior wall shall be protected from galvanic corrosion.

(B) It shall have a minimum capacity of five gallons (19 liters).

(C) It shall have a drain valve which allows drainage of the collected spill into the primary container or provide a means to keep the spill container empty.

(2) The overfill prevention system shall not allow for manual override and shall meet one of the following requirements:

(A) Alert the transfer operator when the tank is 90 percent full by restricting the flow into the tank or triggering an audible and visual alarm; or

(B) Restrict delivery of flow to the tank at least 30 minutes before the tank overfills, provided the restriction occurs when the tank is filled to no more than 95 percent of capacity; and activate an audible alarm at least five minutes before the tank overfills; or

(C) Provide positive shut-off of flow to the tank when the tank is filled to no more than 95 percent of capacity; or,

(D) Provide positive shut-off of flow to the tank so that none of the fittings located on the top of the tank are exposed to product due to overfilling.

(3) The local agency may waive the requirement for overfill prevention equipment where the tank inlet exists in an observable area, the spill container is adequate to collect any overfill, and the tank system is filled by transfers of no more than 25 gallons at one time.

(c) Secondary containment systems including leak interception and detection systems installed pursuant to section 2633 shall comply with all of the following:

(1) The secondary containment system shall encompass the area within the system of vertical planes surrounding the exterior of the primary containment system. If backfill is placed between the primary and secondary containment systems, an evaluation shall be made of the maximum lateral spread of a point leak from the primary containment system over the vertical distance between the primary and secondary containment systems. The secondary containment system shall extend an additional distance beyond the vertical planes described above equal to the radius of the lateral spread plus one foot.

(2) The secondary containment system shall be capable of preventing the inflow of the highest ground water anticipated into the interstitial space during the life of the tank.

(3) If the interstitial space is backfilled, the backfill material shall not prevent the vertical movement of leakage from any part of the primary containment system.

(4) The secondary containment system with backfill material shall be designed and constructed to promote gravity drainage of an unauthorized release of hazardous substances from any part of the primary containment system to the monitoring location(s).

(5) Two or more primary containment systems shall not use the same secondary containment system if the primary containment systems store materials that in combination may cause a fire or explosion, or the production of a flammable, toxic, or poisonous gas, or the deterioration of any part of the primary or secondary containment system.

(6) Drainage of liquid from within a secondary containment system shall be controlled in a manner approved by the local agency to prevent hazardous materials from being discharged into the environment. The liquid shall be analyzed to determine the presence of any of the hazardous substance(s) stored in the primary containment system prior to initial removal, and monthly thereafter, for any continuous discharge (removal) to determine the appropriate method for

final disposal. The liquid shall be sampled and analyzed immediately upon any indication of an unauthorized release from the primary containment system.

(7) For primary containment systems installed completely beneath the ground surface, the original excavation for the secondary containment system shall have a water-tight cover which extends at least one foot beyond each boundary of the original excavation. This cover shall be asphalt, reinforced concrete, or equivalent material which is sloped to drainways leading away from the excavation. Access openings shall be constructed as water-tight as practical. Primary containment systems with integral secondary containment and open vaults are exempt from the requirements of this subsection.

(8) The actual location and orientation of the tanks and appurtenant piping systems shall be indicated on as-built drawings of the facility. Copies of all drawings, photographs, and plans shall be submitted to the local agency for approval.

(d) Owners or their agents shall certify that the installation of the tanks and piping, meets the conditions in subdivision (1) through ~~(5)~~ **(4)** below. The certification shall be made on a "Certificate of Compliance for Underground Storage Tank Installation Form C" (see Appendix V).

(1) The installer ~~has been adequately trained as evidenced by a certificate of training issued by the tank and piping manufacturers. On and after July 1, 2001, this certification shall be renewed by completion of the manufacturer's refresher training at the time interval recommended by the manufacturer, or every 36 months, whichever is shorter~~**has met the requirements set forth in section 2715, subdivisions (g) and (h);**

~~(2) The installer has been certified or licensed by the Contractors State License Board.~~

~~(3)~~ **(2)** The underground storage tank, any primary piping, and any secondary containment, was installed according to applicable voluntary consensus standards and any manufacturer's written installation instructions;

~~(4)~~ **(3)** All work listed in the manufacturer's installation checklist has been completed; and

~~(5)~~ **(4)** The installation has been inspected and approved by the local agency, or, if required by the local agency, inspected and certified by a registered professional engineer who has education and experience with underground storage tank system installations.

Authority: Sections 25299.3 and 25299.7, Health and Safety Code.
Reference: Sections 25281, 25284.1, 25291 and 25299, Health and Safety Code: 40 CFR 280.20, 280.32, 280.40-280.45.

§ 2636. Design, Construction, Installation, Testing, and Monitoring Requirements for Piping.

(a) Except as provided below, piping connected to tanks which were installed after July 1, 1987, shall have secondary containment that complies with the requirements of section 2631 for new underground storage tanks. This requirement does not apply to piping described as follows:

(1) vent or tank riser piping, provided the primary containment system is equipped with an overfill prevention system meeting the requirements specified in sections 2635(b)(2)(B) or (C); or,

(2) vapor recovery piping if designed so that it cannot contain liquid-phase product; or,

(3) suction piping if the piping is designed, constructed, and installed as follows:

(A) The below-grade piping operates at less than atmospheric pressure (suction piping);

(B) The below-grade piping is sloped so that the contents of the pipe will drain back into the storage tank if the suction is released (gravity-flow piping);

(C) No valves or pumps are installed below grade in the suction line. Only one check valve is located directly below and as close as practical to the suction pump;

(D) An inspection method is provided which readily demonstrates compliance
with subdivisions (A) through (C) above.

(b) All corrodible underground piping, if in direct contact with backfill material, shall be protected against corrosion. Piping constructed of fiberglass-reinforced plastic, steel with cathodic protection, or steel isolated from direct contact with backfill, fulfills this corrosion protection requirement. Cathodic protection shall meet the requirements of section 2635(a)(2).

(c) Underground primary piping shall meet all of the following requirements:

(1) Primary piping in contact with hazardous substances under normal operating conditions shall be installed inside a secondary containment system which may be a secondary pipe, vault, or a lined trench. All secondary containment systems shall be sloped so that all releases will flow to a collection sump located at the low point of the underground piping.

(2) Primary piping and secondary containment systems shall be installed in accordance with an industry code of practice developed in accordance with

voluntary consensus standards. The owner or operator shall certify that the piping was installed in accordance with the above requirements of section 2635(d). The certification shall be made on the "Certificate of Compliance for Underground Storage Tank Installation Form C" (see Appendix V).

(d) Lined trench systems used as part of a secondary containment system shall be designed and constructed according to a code of practice or engineering standard approved by a state registered professional engineer. The following requirements shall also apply:

(1) All trench materials shall be compatible with the substance stored and evaluated by an independent testing organization for their compatibility or adequacy of the trench design, construction, and application.

(2) The trench shall be covered and capable of supporting any expected vehicular traffic.

(e) All new primary piping and secondary containments systems shall be tested for tightness after installation in accordance with manufacturer's guidelines. Primary pressurized piping shall be tested for tightness hydrostatically at 150 percent of design operating pressure or pneumatically at 110 percent of design operating pressure. If the calculated test pressure for pressurized piping is less than 40 psi, 40 psi shall be used as the test pressure. The pressure shall be maintained for a minimum of 30 minutes and all joints shall be soap tested. A failed test, as evidenced by the presence of bubbles, shall require appropriate repairs and retesting. If there are no manufacturer's guidelines, secondary containment systems shall be tested using an applicable method specified in an industry code or engineering standard. Suction piping and gravity flow piping which cannot be isolated from the tank shall be tested after installation in conjunction with an overfilled volumetric tank integrity test or other test method meeting the requirements of section 2643(f), if approved by the local agency.

(f) Underground piping with secondary containment, including under-dispenser piping with secondary containment, shall be equipped and monitored with monitoring systems as follows:

(1) All secondary containment, including under-dispenser containment, and under-dispenser spill control or containment systems, shall be equipped with a continuous monitoring system that either activates an audible and visual alarm or stops the flow of product at the dispenser when it detects a leak.

(2) Automatic line leak detectors shall be installed on underground pressurized piping, and shall be capable of detecting a 3-gallon per hour leak rate at 10 psi within 1 hour with a probability of detection of at least 95 percent and a probability of false alarm no greater than 5 percent, **and shall restrict or shut off the flow of product through the piping when a leak is detected.**

(3) **Until November 9, 2004,** other monitoring methods may be used in lieu of the requirement in subdivision (2) if it is demonstrated to the satisfaction of the local agency that the alternate method is as effective as the methods otherwise required by

this section. Continuous monitoring systems as described in subdivision (1), which shut down the pump in addition to either activating the audible and visual alarm or stopping the flow of product at the dispenser satisfy the automatic line leak detector requirement of subdivision (2).

(4) Monitoring shall be conducted on all underground pressurized piping with secondary containment at least annually at a pressure designated by the equipment manufacturer, provided that the method is capable of detecting a minimum release equivalent to 0.1 gallon per hour defined at 150 percent of the normal operating pressure of the product piping system at the test pressure with at least a 95 percent probability of detection and not more than a 5 percent probability of false alarm. ~~This requirement is waived if the criteria in subsection (g) of this section are met.~~

(5) Continuous monitoring systems as described in subdivision (f)(1) satisfy the annual tightness testing requirement of subdivision (f)(4) if both of the following conditions are met:

(A) The monitoring system shuts down the pump or stops the flow of product at the dispenser when a leak is detected in the under-dispenser containment.

(B) The monitoring system for all product piping other than that contained in the under-dispenser containment is fail safe, and shuts down the pump when a leak is detected.

(6) For emergency generator tank systems, continuous monitoring systems as described in subdivision (1), which activate an audible and visual alarm in the event of a leak or a malfunction of the monitoring system satisfy the automatic line leak detector requirement of subdivision (2), provided that the monitoring system is checked at least daily by either remote electronic access or on-site visual inspections. A log of daily checks shall be available for local agency review upon request.

~~(g) Underground pressurized piping which meets all of the following requirements satisfies the annual tightness test requirements specified in subsection (f)(4):~~

~~(1) All secondary containment systems are equipped with continuous monitoring systems. The leak detection device may be located at the pump sump for sections of the piping that slope back to this point.~~

~~(2) All continuous monitoring systems for the piping are connected to the pumping system.~~

~~(3) All continuous monitoring systems for the piping shut down the pump and either activate an audible and visual alarm or stop the flow of product at the dispenser when they detect a leak.~~

~~(4) The pumping system shuts down automatically if any of the continuous monitoring systems for the piping fail or are disconnected.~~

~~(5) The requirements of subdivisions (3) and (4) do not apply to an emergency generator, provided the monitoring system is checked at least daily.~~

~~(h)~~**(g)** Under-dispenser containment shall be designed, constructed, and installed in accordance with the following:

(1) Owners or Operators of a UST system shall have the system fitted with under-dispenser containment, or an approved under-dispenser spill containment or control system according to the following schedule:

(A) At the time of installation for systems installed after January 1, 2000.

(B) By July 1, 2001, for systems installed after July 1, 1987 that are located within 1,000 feet of a public drinking water well, as identified pursuant to the state Geographic Information System mapping database.

(C) By December 31, 2003, for systems not subject to subsection 2636~~(h)~~**(g)** (1)(A) or (B).

(2) Under-dispenser containment shall be designed, constructed, installed, and monitored in accordance with section 2631, 2636(c)(2), 2636(e), and 2636(f).

(3) A manufacturer of an under-dispenser spill containment or control system may apply to the Division of ~~Clean Water Programs~~**Water Quality** Underground Storage Tank Program Manager for approval of the system. Owners or operators shall not install an under-dispenser spill containment or control system that has not been approved.

(A) Applications for approval shall be submitted in writing and include the following:

(i) A description of the proposed system.

(ii) Clear and convincing evidence that the system will protect the soil and beneficial uses of the waters of the state from unauthorized releases.

(B) The Program Manager shall review the application to determine if the proposed system adequately protects the soil and beneficial uses of groundwater before determining whether to approve the proposed system.

(C) The Program Manager may modify or revoke a previously issued approval if it finds that, based on new evidence, the approved system does not adequately protect the soil and beneficial uses of groundwater from unauthorized releases.

Authority: Sections 25299.3 and 25299.7, Health and Safety Code.
Reference: Sections 25281, 25284.1 25291 and 25299, Health and Safety Code; and 40 CFR 280.20 and 280.40-280.45.

§ 2636.1. Final Division Decisions Regarding Under-Dispenser Containment or Control Systems.

(a) A manufacturer of an under-dispenser spill containment or control system who disagrees with a determination by the Program Manager not to approve the manufacturer's system under section 2636~~(h)~~**(g)**(3)(B) or to modify or revoke a previously issued approval of the manufacturer's system under section 2636~~(h)~~**(g)**(3)(C) may ask for review by the Division Chief.

(b) An appeal to the Division Chief must be in writing and must be accompanied by all material that the manufacturer wishes to be considered by the Division Chief, and by the Board in any subsequent review by the Board. The appeal must contain an explanation why the manufacturer believes the Program Manager's determination is erroneous, inappropriate, or improper.

(c) The Division Chief shall render a Final Division Decision within 30 days of receipt of the appeal. A Final Division Decision is final and conclusive unless the manufacturer files a petition for review with the Board that is received by the Board within 30 days from the date of the Final Division Decision.

(d) The Division Chief may at any time, on the Division Chief's own motion, issue a Final Division Decision.

Authority: Sections 25299.3 and 25299.7, Health and Safety Code.
Reference: Section 25284.1, Health and Safety Code.

§ 2637. Secondary Containment Testing, ~~and Annual Maintenance Certification.~~

(a) Secondary containment systems installed on or after January 1, 2001 shall be tested upon installation, 6 months after installation, and every 36 months thereafter. Secondary containment systems installed prior to January 1, 2001 shall be tested by January 1, 2003 and every 36 months thereafter. ~~Secondary containment testing shall be conducted as follows:~~

~~(1)~~ **(b)** By December 31, 2002, the owner or operator of any secondary containment system that the owner or operator determines cannot be tested in accordance with this section shall replace the secondary containment system with a system that can be tested in accordance with this section. As an alternative, the owner or operator may submit a proposal and workplan for enhanced leak detection to the local agency in accordance with subdivisions 2644.1 (a)(1), (2), (4), and (5) by July 1, 2002; complete the program of enhanced leak detection by December 31, 2002; and replace the secondary containment system with a system that can be tested in accordance with this section by July 1, 2005. The local agency shall review the proposed program of enhanced leak detection within 45 days of submittal or re-submittal.

~~(2)~~ **(c)** Periodic testing of secondary containment systems shall be conducted using a test procedure that demonstrates that the system performs at least as well as it did upon installation. For example, if the secondary containment system was tested upon installation by using a test method that applied a pressure of 5 psi, then the periodic test must be conducted using a method that tests the system at an equivalent pressure. These tests shall be performed in accordance with manufacturer's guidelines or standards. If there are no manufacturer's guidelines or standards, secondary containment systems must be tested using an applicable method specified in an industry code or engineering standard. If there are no applicable manufacturer**'**s guidelines, industry codes, or engineering standards a test method approved by a state registered professional engineer shall be used.

~~(3)~~ **(d)** Secondary containment testing shall be performed by either a **service technician or a licensed tank tester, both of which must meet the requirements of section 2715, subdivision (i).** ~~licensed tank tester, licensed tank installer, or any person meeting the requirements of subsection 2637(b)(1).~~

~~(4)~~ **(e)** Underground storage tank owners and operators shall submit a copy of the test report to the local agency within 30 days of the completion of the test.

~~(5)~~ **(f)** Owners and operators of underground storage tanks must notify the local agency at least 48 hours prior to conducting the test, unless this notification requirement is waived by the local agency.

~~(6)~~ **(g)** Secondary containment systems where the continuous monitoring automatically monitors both primary and secondary containment, such as systems that are hydrostatically monitored or under constant vacuum, are exempt from periodic secondary containment testing.

Authority: Sections 25299.3 and 25299.7, Health and Safety Code.
Reference: Sections 25281, 25284.1, 25291 and 25292, Health and Safety Code; 40 CFR 280.41.

§ 2638. Annual Certification of Monitoring Equipment.

~~2637 (b)~~

(a) All monitoring equipment used to satisfy the requirements of this article shall be installed, calibrated, operated and maintained in accordance with manufacturer's instructions, and certified every 12 months for operability, proper operating condition, and proper calibration. Written records shall be maintained as required in section 2712. ~~On or after January 1, 2002 the following shall also apply:~~

~~(1)~~ **(b)** Persons performing installation, repair, maintenance, calibration, or annual certification of monitoring equipment shall meet the ~~following~~ requirements~~:~~ **set forth in section 2715, subdivision (i).**

~~(A) Possess a current Class "A" General Engineering Contractor License, C-10 Electrical Contractor License, C-34 Pipeline Contractor License, C-36 Plumbing Contractor License, or C-61 (D40) Limited Specialty Service Station Equipment and Maintenance Contractor License issued by the Contractors State License Board.~~

~~(B) Be trained and certified by the manufacturer of the monitoring equipment; and,~~

~~(C) Be re-certified by the manufacturer by completion of a manufacturer's refresher course. Additionally, this certification shall be renewed at the time interval recommended by the manufacturer, or every 36 months, whichever is shorter.~~

~~(2) Individuals employed by persons performing installation, repair, maintenance, calibration, or annual certification of monitoring equipment for the purpose of conducting this work shall meet the requirements of 2637(b)(1)(B) and (C).~~

~~(3)~~ **(c)** Annual monitoring equipment certification shall be made on a "Monitoring System Certification" form (see Appendix VI).

~~(4)~~ **(d)** UST owners and operators shall submit a completed "Monitoring System Certification" form to the local agency within 30 days after completion of the inspection.

~~(5)~~ **(e)** The UST owner or operator shall notify the local agency at least 48 hours prior to conducting the installation, repair, replacement, calibration, or certification of monitoring equipment unless the notification requirement is waived by the local agency.

~~(6)~~ **(f)** A person conducting UST monitoring equipment certification shall affix a tag/sticker on each monitoring equipment component that is being certified, repaired, or replaced. The tag/sticker shall be placed in a readily visible location and shall include the date the UST component was certified, repaired, or replaced, and the contractor's license number.

Authority: Sections 25299.3 and 25299.7, Health and Safety Code.
Reference: Sections 25281, 25284.1, 25291 and 25292, Health and Safety Code; 40 CFR 280.41.

§ 2641. Monitoring Program Requirements.

(a) Owners or operators of existing underground storage tanks subject to this article shall implement a monitoring program which is capable of detecting an unauthorized release from any portion of the underground storage tank system at the earliest possible opportunity.

(b) Underground piping shall be exempt from monitoring requirements if the local agency determines that the piping has been designed and constructed in accordance with section 2636(a)(3).

(c) All underground piping that operates at less than atmospheric pressure, unless it is exempt from monitoring under subsection (b), shall comply with the monitoring requirements of section 2643(d) and shall also include daily monitoring as described in Appendix II.

(d) All portions of the underground storage tank system shall be visually monitored in accordance with section 2642. A portion of the underground storage tank shall be exempt from visual monitoring if the owner demonstrates to the satisfaction of the local agency that one or more of the following conditions apply to that portion:

(1) It is not accessible for direct viewing;

(2) Visual inspection would be hazardous or would require the use of extraordinary personal protection equipment other than normal protective equipment such as steel-toed shoes, hard hat, or ear protection; or

(3) The underground storage tank is located at a facility which is not staffed on a daily basis.

(e) Non-visual monitoring shall be implemented for all portions of the underground storage tank which are exempt under subsection (d) and, for the underground storage tank, during periods when visual monitoring required under subsection (d) is not conducted. This non-visual monitoring shall include a quantitative release detection method as specified in section 2643 or a qualitative release detection method as specified in section 2644 or a combination of these methods as approved by the local agency.

(f) Non-visual monitoring for underground pressurized piping shall include a quantitative release detection method that complies with the performance requirements in section 2643(c)(1).

(g) The monitoring program shall be approved by the local agency and shall be in compliance with the requirements of this article and with the underground storage tank operating permit. The local agency may require additional monitoring methods specified in the operating permit or more frequent monitoring as necessary to satisfy the objective in subsection (a). In deciding whether to approve a proposed monitoring program, or to require additional methods or more frequent monitoring, the local agency shall consider the following factors:

(1) The volume and physical and chemical characteristics of the hazardous substance(s) stored in the underground storage tank;

(2) The compatibility of the stored hazardous substance(s) and any chemical reaction product(s) with the function of monitoring equipment or devices;

(3) The reliability and consistency of the proposed monitoring equipment and systems under site-specific conditions;

(4) The depth and quantity of ground water and the direction of ground water flow;

(5) The patterns of precipitation in the region and any ground water recharge which occurs as a result of precipitation;

(6) The existing quality of ground water in the area, including other sources of contamination and their cumulative impacts;

(7) The current and potential future uses (e.g., domestic, municipal, agricultural, industrial supply) of ground water in the area;

(8) The proximity and withdrawal rates of ground water users in the area;

(9) The type, homogeneity, and range of moisture content of the backfill material and native soils and their probable effects on contaminant migration and detection;

(10) The presence of contamination in the excavation zone or surrounding soils;

(11) The proximity of the underground storage tank to surface waters; and

(12) Additional hydrogeologic characteristics of the zone surrounding the underground storage tank.

(h) The monitoring program shall include written monitoring procedures and a response plan as set forth in section 2632(d).

(i) If the local agency does not approve the monitoring program, the owner or operator shall replace, repair, upgrade, or close the tank in accordance with the applicable provisions of this chapter and local agency approval.

(j) Equipment and devices used to monitor underground storage tanks shall be installed, calibrated, operated, and maintained in accordance with section ~~2637(b)~~**2638**.

(k) When an unauthorized release is indicated during the installation of a release detection system, the owner or operator shall comply with the release reporting requirements of Article 5 and, if the release came from the existing tank, shall cease the installation process until the tank system is replaced, repaired, upgraded, or closed in accordance with the applicable provisions of this chapter.

(l) When implementation of the monitoring program, or any condition, indicates that an unauthorized release may have occurred, the owner or operator shall comply with the release reporting requirements of Article 5 and shall replace, repair, or close the underground storage tank in accordance with the applicable provisions of this chapter.

Authority: Sections 25299.3 and 25299.7, Health and Safety Code.
Reference: Sections 25283, 25284.1, 25291 and 25292, Health and Safety Code; 40 CFR 280.40 and 280.41.

§ 2712. Permit Conditions.

(a) As a condition of any permit to operate an underground storage tank, the owner or operator shall comply with the reporting and recording requirements for unauthorized releases specified in Article 5.

(b) Written monitoring and maintenance records shall be maintained on-site or off-site at a readily available location, if approved by the local agency, for a period of at least 3 years, 6 1/2 years for cathodic protection maintenance records, and 5 years for written performance claims pertaining to release detection systems, and calibration and maintenance records for such systems. Records of repairs, lining, and upgrades shall be maintained on site or at another approved location for the remaining life of the underground storage tank. These records shall be made available, upon request within 36 hours, to the local agency or the State Water Board. Monitoring records shall include:

(1) The date and time of all monitoring or sampling;

(2) Monitoring equipment calibration and maintenance records;

(3) The results of any visual observations;

(4) The results of all sample analysis performed in the laboratory or in the field, including laboratory data sheets and analysis used;

(5) The logs of all readings of gauges or other monitoring equipment, ground water elevations, or other test results; and

(6) The results of inventory readings and reconciliations.

(c) A permit to operate issued by the local agency shall be effective for 5 years. In addition to other information specified by the local agency, the permit shall include the permit expiration date, monitoring requirements, and the state underground storage tank identification number(s) for which the permit was issued. Before a local agency issues a new permit or renewal to operate an underground storage tank the local agency shall inspect the underground storage tank and determine that it complies with the provisions of these regulations.

(d) Permits may be transferred to new underground storage tank owners if: (1) the new underground storage tank owner does not change conditions of the permit, (2) the transfer is registered with the local agency within 30 days of the change in ownership, and (3) state permit application forms are completed to show the changes. Transferred permits shall expire and be renewed on the original expiration date. A local agency may review,

modify, or terminate the permit to operate the underground storage tank upon receiving an ownership transfer request.

(e) The local agency shall not renew an underground storage tank permit unless the underground storage tank has been inspected by the local agency or a special inspector within the previous 12 months and the inspection verified that the underground storage tank complied with the provisions of Article 3 or 4, as applicable, and with all existing permit conditions. The inspection shall be conducted as specified in **section 25288** ~~the appropriate subsection~~ of Chapter 6.7 of Division 20 of the Health and Safety Code. If the inspection indicates noncompliance, the local agency shall verify by a follow-up inspection that all required corrections have been implemented before renewing the permit.

(f) Within 30 calendar days of receiving an inspection report from either the local agency or the special inspector, the permit holder shall implement the corrections specified in the inspection report and comply with ~~and~~ the permit conditions. The corrective action shall include all of the recommendations made by the local agency or special inspector. The local agency may waive the implementation of any of the special inspector's recommendations based on a demonstration by the permit holder to the local agency's satisfaction that failure to implement the recommendation will not cause an unauthorized release.

(g) The local agency shall take appropriate enforcement action pursuant to section 25299 of the Health and Safety Code or prohibit the operation of the tank systems if the owner or operator fails to comply with the monitoring requirements in Article 3 or 4 or the reporting requirements of Article 5.

(h) The local agency shall provide the permittee with a written list of all applicable requirements of Chapter 6.7 and 6.75 of the Health and Safety Code and these regulations.

(i) A copy of the permit and all conditions and attachments, including monitoring plans, shall be retained at the facility.

(j) All primary containment shall be product-tight.

(k) Owners and operators shall use care to prevent releases due to spilling or overfilling. Before product is delivered, owners, operator, or their agents shall ensure that the space available in the tank is greater than the volume of product to be transferred to the tank and shall ensure that the transfer operation is monitored constantly to prevent overfilling and spilling.

Authority: Health and Safety Code 25299.3, 25299.7
Reference: Sections 25284, 25285, 25286, 25288, 25289, 25293, and 25294, Health and Safety Code; 40 CFR 280.31(d), 280.33(f), 280.45, and 281.32(e)

§ 2715. Certification, Licensing, and Training Requirements for Underground Storage Tank Owners, Operators, Installers, Service Technicians, and Inspectors.

(a) By January 1, 2005, owners of underground storage tank systems shall submit a signed statement to the local agency indicating that the owner understands and is in compliance with all applicable underground storage tank requirements, and identifying the designated UST operator(s) for each facility owned. The owner shall inform the local agency of any change of designated UST operator(s) no later than 30 days after the change.

(b) Effective January 1, 2005, designated UST operators shal possess a current certificate issued by the International Code Council (ICC) indicating he or she has passed the California UST System Operator exam. The individual shall renew the ICC certification, by passing the California UST System Operator exam, every 24 months.

(c) The designated UST operator(s) shall perform monthly visual inspections of all underground storage tank systems for which they are designated. The results of each inspection shall be recorded in a monthly inspection report. The monthly visual inspection shall include, but is not limited to, the following:

(1) Reviewing the alarm history report or log for the previous month, and checking that each alarm condition was documented and responded to appropriately. A copy of the alarm history report or log, along with documentation describing action taken in response to any alarm(s), shall be attached to the monthly visual inspection record.

(2) Inspecting for the presence of hazardous substance, water, or debris in spill containers.

(3) Inspecting for the presence of hazardous substance, water, or debris in under-dispenser containment areas, and checking that the monitoring equipment in these areas is located in the proper position to detect a leak at the earliest possible opportunity.

(4) Inspecting for the presence of hazardous substance, water, or debris in containment sumps that, in the past month, have had an alarm for which there is no record of a service visit, and checking that the monitoring equipment in these containment sumps is located in the proper position to detect a leak at the earliest possible opportunity.

(5) Checking that all required testing and maintenance for the underground storage tank system have been completed, and documenting the dates these activities occurred.

(6) Verifying that all facility employees have been trained in accordance with subdivision 2715(f).

(d) The designated UST operator(s) shall provide the owner or operator with a copy of each monthly inspection report, and alert the owner or operator of any

condition discovered during the monthly visual inspection that may require follow-up actions.

(e) The owner or operator shall maintain a copy of the monthly inspection record and all attachments for the previous twelve months. The records shall be maintained on-site or, if approved by the local agency, off-site at a readily available location.

(f) By July 1, 2005, and every twelve months thereafter, the designated UST operator(s) shall train facility employees for which he or she is responsible in the proper operation and maintenance of the underground storage tank system. For facility employees hired on or after July 1, 2005, the initial training shall be conducted within 30 days of the date of hire.

(1) The training for facility employees must include, but is not limited to:

(A) The operation of the underground storage tank system in a manner consistent with the facility's best management practices.

(B) The facility employee's role with regard to the monitoring equipment as specified in the facility's monitoring plan.

(C) The facility employee's role with regard to spills and overfills as specified in the facility's response plan.

(D) The name of the contact person(s) for emergencies and monitoring equipment alarms.

(2) At least one of the facility employees present during operating hours shall have current training in accordance with subdivision (f)(1). For facilities that are not routinely staffed, the designated UST operator shall implement a facility employee training program approved by the local agency.

(3) A list of facility employees who have been trained by the designated UST operator(s), shall be maintained on-site or off-site at a readily available location, if approved by the local agency. The list shall be provided to the local agency upon request. The list shall include the dates of training for all facility employees, and the hiring dates for all facility employees hired on or after July 1, 2005.

(g) Any person(s) installing underground storage tank systems or components shall be certified or licensed by the Contractors State License Board.

(h) Any individual(s) installing underground storage tank system components shall meet the following requirements, or work under the direct and personal supervision of an individual physically present at the work site who meets the following requirements:

(1) The individual has been adequately trained as evidenced by a certificate of training issued by the manufacturer(s) of the underground storage tank system components. On and after July 1, 2001, this certification shall be renewed by completion of manufacturer's refresher training at the time interval recommended by the manufacturer, or every 36 months, whichever is shorter.

(2) Effective January 1, 2005, the individual shall possess a current underground storage tank system installer certificate from the International Code Council (ICC), indicating that the individual has passed the ICC UST Installation/Retrofitting exam. The individual shall renew the ICC certification, by passing the ICC UST Installation/Retrofitting exam, every 24 months.

(i) Any individual performing the work of a service technician must meet all of the following requirements:

(1) Possess or be employed by a person who possesses a current Class "A" General Engineering Contractor License, C-10 Electrical Contractor License, C-34 Pipeline Contractor License, C-36 Plumbing Contractor License, or a C-61 (D40) Limited Specialty Service Station Equipment and Maintenance Contractor License issued by the Contractors State License Board, as applicable. Individuals who possess a tank testing license issued by the State Water Resources Control Board satisfy the licensing requirement of this paragraph.

(2) Be trained and certified by the manufacturer of the equipment as follows:

(A) For service technicians conducting secondary containment testing pursuant to section 2637(a), this training and certification may be obtained through the developer of the testing equipment or test method being used, or through the manufacturer of the secondary containment system being tested, as applicable.

(B) For service technicians performing work on monitoring equipment, training and certification shall be obtained from the manufacturer of the monitoring equipment.

(C) In the event that no training or certification exists that would satisfy the criteria of subparagraph (i)(2)(A) or (B), the local agency may approve comparable alternate training or certification.

(3) Renew all training and certifications issued by the manufacturer, through completion of a manufacturer's refresher course, at the time interval recommended by the manufacturer, or every 36 months, whichever is shorter.

(4) Effective July 1, 2005, service technicians shall possess or work under the direct and personal supervision of an individual physically present at the work site who possesses a current certificate from the International Code Council (ICC), indicating he or she has passed the California UST Service Technician exam. If the California UST Service Technician exam is not available by July 1, 2004, this requirement shall be effective twelve months after the date the exam is available. The individual shall renew the ICC certification, by passing the California UST Service Technician exam, every 24 months.

(j) Local agency inspectors or special inspectors conducting underground storage tank inspections must meet the following requirements:

(1) Effective September 1, 2005, these individuals shall possess a current inspector certificate issued by the International Code Council (ICC), indicating he or she has passed the ICC California UST Inspector exam. Local agency inspectors hired on or after September 1, 2005, are subject to this requirement 180 days from the date of hire. If the ICC California UST Inspector exam is not available by September 1, 2004, this requirement shall be effective twelve months after the date the exam is available.

(2)These individuals shall renew the California inspector certificate every 24 months, by either passing the ICC California UST Inspector exam or satisfying equivalent criteria as approved by the Division of Water Quality Underground Storage Tank Program Manager.

Authority: Section 25299.3, Health and Safety Code.
Reference: Section 25281, 25284.1, Health and Safety Code; 40 CFR 280.20.